

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PATRICIA JOHNSON, FAUSTO CABRERA,
VELLYN ANTONELLI, CARMEN FOX,
MARK ANGELOPOULOS, DIANE
ANDERSON, JAMES COOLEY, AND
MARGARET COOLEY, on behalf of herself
and all others similarly situated,

Plaintiffs,

Civil Action No. 10-10316 - RWZ

v.

BAC HOME LOANS SERVICING, LP, a
subsidiary of BANK OF AMERICA, N.A.,

Defendant.

DECLARATION OF ANDREW S. HARMON

I, Andrew S. Harmon, states as follows:

1. I am an Attorney Director with Harmon Law Offices, P.C ("Harmon Law"). My responsibilities include oversight of a number of the Firm's foreclosure groups, including the group responsible for the foreclosure proceedings on the mortgage loan of Carmen Fox, for the property located 62 Frederick Street, Unit 35, Dracut, Massachusetts.

2. Harmon Law is counsel for BAC Home Loans Servicing, LP ("BAC") as relates to these foreclosure proceedings.

3. I have reviewed the information contained in Harmon Law's case management system, which is the system that is used to track the activity on our files.

4. Our case management system indicates that, at the direction of BAC, Harmon Law initiated the process to postpone a July 2 foreclosure sale that had been scheduled for the 62 Frederick Street property until August 3, 2010. However, shortly thereafter, and prior to July 2, 2010, Harmon Law cancelled the scheduled foreclosure sale at the direction of BAC.

5. Once a foreclosure sale is cancelled, Harmon Law or BAC may only schedule another foreclosure sale if it begins anew the notice of sale process required by Mass. Gen. L. Ch. -244. No further sale has been scheduled, and Harmon Law has been directed to take no further activity on this file pending developments in this lawsuit.

I declare under the penalty of perjury of the laws of the United States of America that the foregoing is true and correct this 14th day of October 2010.

A handwritten signature in black ink, appearing to read 'A.S. Harmon', written over a horizontal line.

Andrew S. Harmon

Dated: October 15, 2010

Respectfully submitted,
BAC Home Loans Servicing, L.P.,
By its attorneys,

/s/ James W. McGarry

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CERTIFICATE OF SERVICE

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on October 15, 2010.

/s/ James W. McGarry